

**MARKED AGENDA  
ZONING REVIEW BOARD  
DECEMBER 10, 2009  
6:00 P.M., CITY HALL, COUNCIL CHAMBERS, SECOND FLOOR**

**NEW CASES:**

**Z-09-35**-An Ordinance by Councilmember Kwanza Hall to amend the Castleberry Hill Landmark District Regulations (Chapter 20N) of the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a definition of Off-Leash Dog Park and allow such a use in Subarea 1 of the Castleberry Hill Landmark District; and for other purposes.

**NPU M RECOMMENDATION:           APPROVAL**  
**NPU T RECOMMENDATION:           DEFERRAL**  
**STAFF RECOMMENDATION:           APPROVAL**  
**ZRB RECOMMENDATION:           APPROVAL OF A SUBSTITUTE ORDINANCE**

**Z-09-36**-An Ordinance by Councilmember Clair Muller to rezone property having a street address or Tax Parcel Identification Number (as applicable) of 17-0183-LL-143-2, 1100 Moores Mill Road, 1110 Moores Mill Road, 17-0183-LL-172, 17-0183-LL-171, 1120 Moores Mill Road, 1124 Moores Mill Road, 1128 Moores Mill Road, 17-083-LL-097-0, 1150 Moores Mill Road, 1160 Moores Mill Road, 1164 Moores Mill Road, 1168 Moores Mill Road, 958 Nawench Drive, 970 Nawench Drive, 980 Nawench Drive, 1000 Nawench Drive, 1014 Nawench Drive, 1028 Nawench Drive, 1042 Nawench Drive, 1058 Nawench Drive, 1078 Nawench Drive, 1090 Nawench Drive, 1089 Nawench Drive, 1075 Nawench Drive, 1055 Nawench Drive, 1045 Nawench Drive, 1035 Nawench Drive, 1025 Nawench Drive, 1015 Nawench Drive, 1011 Nawench Drive, and 997 Nawench Drive, from R-3 (Single-Family Residential) to R-2B (Single-Family Residential); and for other purposes.

**NPU RECOMMENDATION:           APPROVAL**  
**STAFF RECOMMENDATION:           30-DAY DEFERRAL-JANUARY 2010**  
**ZRB RECOMMENDATION:           30-DAY DEFERRAL-JANUARY 2010**

**Z-09-37**-An Ordinance to rezone property from the RG-2 (Residential General-Sector 2) district to the R-LC (Residential-Limited Commercial) district, for property located at **4591 Wieuca Road, N.E.**, fronting approximately 70 feet on the northeasterly side of Wieuca Road, beginning 506 feet easterly and southeasterly from the southeast corner of a 15 foot alley. Depth: varies, Area: 0.40 acres. Land Lot 95, 17<sup>th</sup> District, Fulton County, Georgia.

**OWNER:   TOM HICKS**

**APPLICANT:   TOM HICKS**

**NPU-B                   COUNCIL DISTRICT 7**

**NPU RECOMMENDATION:           APPROVAL CONDITIONAL**  
**STAFF RECOMMENDATION:           APPROVAL**  
**ZRB RECOMMENDATION:           APPROVAL**

6:00 P.M., CITY HALL, COUNCIL CHAMBERS, SECOND FLOOR

**Z-09-38**-An Ordinance to rezone from the C-1 C(Community Business-Conditional) District to the C-1 C(Community Business-Conditional) District, for the purposes of a change of conditions, property located at **2815-2839 Peachtree road, N.E..** The property fronts 275 feet on the southeasterly side of Peachtree Road beginning 99.92 feet from the northwest corner of Rumson Road. Depth: varies. Area: 1.24 acres. Land Lot 100. 17<sup>th</sup> District, Fulton County, Georgia.

OWNER: GARDENBRAND, LLC.

APPLICANT: GARDENBRAND, LLC.

NPU-B COUNCIL DISTRICT 7

**NPU RECOMMENDATION: DEFERRAL**

**STAFF RECOMMENDATION: 30-DAY DEFERRAL-JANUARY 2010**

**ZRB RECOMMENDATION: 30-DAY DEFERRAL-JANUARY 2010**

**Z-09-39**-An Ordinance to rezone from the R4A (Single family Residential) District and the C-1-C (Community Business-Conditional) District to the C-1 (Community Business) District, property located at **178 McDonough Boulevard, S.E.** fronting approximately 54 feet on the north side of McDonough Boulevard, beginning 122 feet from the northwest corner of Lakewood. Depth: approximately 199 feet. Area: 0.624 acres. Land Lot 56, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: PRITHVI, INC.

APPLICANT: ROBERT W. HOFFMAN

NPU-Y COUNCIL DISTRICT 1

**NPU RECOMMENDATION: DEFERRAL**

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**

**ZRB RECOMMENDATION: 30-DAY DEFERRAL-JANUARY 2010**

**U-09-20**-An Ordinance granting a Special Use Permit for a Day Care Center pursuant to Section 16-06.005 (1) (g) for property located at **3797 Adamsville Drive, S.W.,** fronting approximately 90 feet on the north side of Adamsville Drive, approximately 760 feet west of the intersection of Martin Luther King, Jr. Drive and Adamsville Drive. Depth: approximately 200 feet. Area: approximately 0.41 acres. Land Lot 14, 14<sup>th</sup> District, Fulton County, Georgia.

Owner: Unity Realty Specialist (Ben Lawrence)

Applicant: April Ingraham

NPU H Council District 10

**NPU RECOMMENDATION: DENIAL**

**STAFF RECOMMENDATION: DENIAL**

**ZRB RECOMMENDATION: DENIAL**

6:00 P.M., CITY HALL, COUNCIL CHAMBERS, SECOND FLOOR

**U-09-17-** An Ordinance by Zoning Committee granting a Special Use Permit for a Personal Care Home pursuant to Section 16-08.005 (1)(f) for property located at **762 Bender Street, SW**, fronting approximately 60 feet on the east side of Bender Street, at the southeast corner of Bender Street and Stephens Street. Depth: varies. Area: approximately 0.147 Acre. Land Lot:86, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: DEBORAH L. TURNER

APPLICANT: DEBORAH L. TURNER

NPU-V COUNCIL DISTRICT 4

**NPU RECOMMENDATION: DEFERRAL**

**STAFF RECOMMENDATION: 60-DAY DEFERRAL-FEBRUARY 2010**

**ZRB RECOMMENDATION: 60-DAY DEFERRAL-FEBRUARY 2010**

**U-09-18** An Ordinance by Zoning Committee to amend Ordinance 98-O-0067 (U-97-69) which granted a Special Use Permit for a Communication Tower in a C-2 (Commercial Service) District, for property located at **2664 Donald Lee Hollowell Parkway (formerly known as Bankhead Highway)**, and for other purposes.

OWNER: HORATIO LAWSON

APPLICANT: T-MOBILE SOUTH, LLC C/O SAI COMMUNICATION

NPU-I COUNCIL DISTRICT 9

**NPU RECOMMENDATION: APPROVAL**

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**

**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**

**U-09-21-** An Ordinance granting a Special Use Permit for a church pursuant to Section 16—06.005 (1) (c) for property located at **1280 Benteen Way, S.E.** fronting approximately 269 feet on the north side of Benteen Way and approximately 410 feet on the east side of Boulevard. Depth: varies. Area: approximately 2.0. Land Lot 24, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: ABUNDANT LIFE CENTER

APPLICANT: JAMES MCDUGALD

NPU-W COUNCIL DISTRICT 1

**NPU RECOMMENDATION: APPROVAL CONDITIONAL**

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**

**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**

**U-09-22-** An Ordinance granting a Special Use Permit for a Day Care Center pursuant to Section 16—08.005 (1) (b) for property located at **3751 Martin Luther King, Jr. Drive, S.W.,** fronting approximately 165 feet pm the southeasterly side of Martin Luther King Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton Road. Depth: varies. Area: approximate 5.8 acres. Land Lot 15, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: CHARITABLE CONNECTIONS, INC.

APPLICANT: CHARITABLE CONNECTIONS, INC./MICHELLE R. UCHIYEMA

NPU-T COUNCIL DISTRICT 4

**NPU RECOMMENDATION: APPROVAL**

**STAFF RECOMMENDATION: DENIAL**

**ZRB RECOMMENDATION: DENIAL**

**U-09-23-** An Ordinance granting a Special Use Permit for a Personal Care Home pursuant to Section 16-06.005 (1) (g) for property located at **1041 Lawton Avenue, S.W.**, fronting approximately 100 feet on the northeasterly side of Lawton Avenue and approximately 447 feet east of the intersection of Lawton Avenue and Peeples Street. Depth: approximately 180 feet. Area: 0.41 acres. Land Lot 119, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: NATHAN M. JIDEAMA

APPLICANT: NATHAN M. JIDEAMA

NPU-S COUNCIL DISTRICT 4

**NPU RECOMMENDATION: DENIAL**

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**

**ZRB RECOMMENDATION: DENIAL**

**U-09-24-** An Ordinance granting a Special Use Permit for a Day Care Center pursuant to Section 16—06.005 (1) (b) for property located at **779 Atwood Street, S.W.**, fronting approximately 120 feet on the west side of Atwood Street, approximately 67 feet southwest of the intersection of Atwood Street and Donnelly Avenue. Depth: varies. Area: approximate 0.366 acres. Land Lot 139, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: PAN AFRICAN ORTHODOX CHRISTIAN CHURCH

APPLICANT: TERRENCE RAYE

NPU-T COUNCIL DISTRICT 4

**NPU RECOMMENDATION: NO ACTION TAKEN**

**STAFF RECOMMENDATION: 30-DAY DEFERRAL-JANUARY 2010**

**ZRB RECOMMENDATION: 30-DAY DEFERRAL-JANUARY 2010**

#### **DEFERRED CASES:**

**Z-09-24-**An Ordinance by Zoning Committee to amend Section 16-28A.013(a) (x) of the City of the Atlanta Sign Ordinance for the purpose of clarifying the effect of modification or replacement of structures supporting on the non-conformity of general advertising signs; and for other purposes.

**NPU RECOMMENDATION: SEE WORKSHEET**

**STAFF RECOMMENDATION: 30-DAY DEFERRAL-JANUARY 2010**

**ZRB RECOMMENDATION: 30-DAY DEFERRAL-JANUARY 2010**

**U-09-19-**An Ordinance by Councilmember Jim Maddox granting a Special Use Permit for a Private School pursuant to section 16-06.005(1)(l) and section 16-05.005(1)(l) for property located at 4776 Campbellton Road (Parcel ID # 14F-0065-0001-003-0 & 14F-0065-0001-002), 4774 Campbellton Road, S.W. (Parcel ID # 14F-0065-0001-004 & 14F-0065-0001-005-0 a.k.a. Campbellton Road Rear), 14F-0076-11-008-8 (a.k.a. Kenny Road Rear) and 14F-0065-0001-024 (Kenny Road S.W) fronting approximately 365 feet on the western side of Campbellton Road S.W.; and for other purposes.

**NPU RECOMMENDATION: APPROVAL CONDITIONAL**

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**

**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**

6:00 P.M., CITY HALL, COUNCIL CHAMBERS, SECOND FLOOR

**U-09-16-** An Ordinance granting a Special Use Permit for a Personal Care Home pursuant to Section 16-06.005 (1) (g) for property located at **350 Schoen Street, S.E.** fronting approximately 108.50 feet on the north side of Schoen Street at the south west corner of the intersection of Schoen Street and Charleston Avenue. Depth: approximately 170 feet. Area: 0.42 acres. Land Lot 39, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: ANNIE L. BARBER

APPLICANT: ANNIE L. BARBER

NPU-Y COUNCIL DISTRICT 1

**NPU RECOMMENDATION: APPROVAL**

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**

**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**

**Z-09-15-** An Ordinance to rezone from the C-1-C (Community Business –Conditional) District and R-LC (Residential Limited Commercial) District to the PD-MU (Planned Development-Mixed Use) District, property located at **87, 99 and 91 West Paces Ferry Road, Units 1-7 and 9; 91 West Paces Ferry Road, Unit 8; 79 West Paces Ferry Road; and 3188 Paces Ferry Place**, fronting approximately 445 feet on the west side of Paces Ferry Place at the northwest corner of West Paces Ferry Road. Depth: varies. Area: 3.484 acres. Land Lot 99, 17<sup>th</sup> District, Fulton County, Georgia.

OWNER: 800 CORPORATION, LUDWIG I FLA. CORPORATION

AND WOODLANDS OF GEORGIA, INC. C/O MILLER AND

MARTIN PLLC, 79 WEST PACES FERRY, LLC., AND

MRS. JACQUELINE SNELLING

APPLICANT: 800 CORPORATION

NPU-B COUNCIL DISTRICT 8

**NPU RECOMMENDATION: APPROVAL CONDITIONAL**

**STAFF RECOMMENDATION: 30-DAY DEFERRAL-JANUARY 2010**

**ZRB RECOMMENDATION: 30-DAY DEFERRAL-JANUARY 2010**

**Z-09-28-** An Ordinance to rezone property from RLC-C (Residential Limited Commercial-Conditional) to RLC-C (Residential Limited Commercial-Conditional), property located at **2867 Piedmont Road, N.E.** for the purpose of a change in conditions. Property fronts approximately 116.35 feet on the east side of Piedmont Road at the southeast corner of Elliott Circle and Piedmont Road. Depth: approximately 362 feet. Area: approximately 0.502 acre. Land Lot 47, 17<sup>th</sup> District, Fulton County, Georgia.

OWNER: SOON R. HOH

APPLICANT: SOON R. HOH

NPU B COUNCIL DISTRICT 7

**NPU RECOMMENDATION: DEFERRAL**

**STAFF RECOMMENDATION: 60-DAY DEFERRAL-FEBRUARY 2010**

**ZRB RECOMMENDATION: 60-DAY DEFERRAL-FEBRUARY 2010**

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**6:00 P.M., CITY HALL, COUNCIL CHAMBERS, SECOND FLOOR**

**Z-09-29-**An Ordinance by Councilmember Kwanza Hall to amend certain sections of Chapter 20C of the Code of Ordinances which governs Martin Luther King, Jr. Landmark District to stimulate growth and investments in the district; and for other purposes.

**STAFF RECOMMENDATION: 60-DAY DEFERRAL-FEBRUARY 2010**

**ZRB RECOMMENDATION: 60-DAY DEFERRAL-FEBRUARY 2010**

**END OF AGENDA**